

EXHIBIT 4



**TONAWANDA COKE
CORPORATION**

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State of the TCC Safety Program

As the Safety Team reflects upon the accomplishments of the year 2012, the numbers demonstrate our continued progress in all areas. Out of 287,945 total hours of employee exposure this past year, we had 18 incidents reported, of which only 5 were OSHA recordable cases, and none of which were LWDs. This is compared to the year of 2011, which saw 22 incidents reported, 5 of which were OSHA recordables, with two of the recordables being LWD incidents. Our current recordable rate is 3.47%, which is well below the industry standard rate of 6.3%. Of the 5 recordable cases that we had in 2012, only three resulted in duty restrictions, giving us a DART rate of 2.08%, which is also well below the industry standard rate of 6.3%.

Evidence of our plant's overall performance for this past year was firmly established on September 29th, a major milestone: on this day, we achieved the victory of 365 days without an LWD. Since then, we have continued that journey of pride, commitment, and respect for the well-being of our fellow employees and on January 18th we reached 475 days and still going strong.

Generally speaking, continuous improvement has been demonstrated by all employees. The message of safety communicated by our management personnel and Union leadership has enforced the maintenance of safe work practices each and every day.

Looking at the year ahead, we cannot take our eye off the ball. In order to be most effective in continuing our commitment to excellence and improvement, our focus has to be more intense in the areas of both accident investigation and corrective action. The ability to be responsive to any situation or circumstance that might arise will be essential to ensuring that we reach the next landmark achievement in late September of 2013, which will be two years without an LWD. Positive reinforcement among the employees for constant mindfulness of safety issues will also only add to our confidence in achieving this goal.

Achievements of 2012

1. Industrial Medicine
2. Machine Guarding
3. Respiratory Protection
4. Coke Oven Emissions
5. Behavior-Based Safety Seminar (Management)

6. Heat Stress
7. Emergency Preparedness
8. Slips, Trips, and Falls
9. Personal Hygiene
10. Hearing Conservation
11. PPE
12. HazCom Program
13. Wellness Program
14. WNY Safety Conference Attendance
15. National Safety Conference Attendance

Safety Progress Report Card

Year 2009 – Cases 11 (OSHA Recordable Rate: 11.0)
 LWD Cases 8
 LWD 495 (OSHA Dart: 8.5)
 Hours of Exposure 233, 354

Year 2010 – Cases 16 (OSHA Recordable Rate: 12.0)
 LWD Cases 9
 LWD 197 (OSHA Dart: 9.0)
 Hours of Exposure 265, 675

Year 2011 – Cases 5 (OSHA Recordable Rate: 3.05)
 LWD Cases 2
 LWD 120 (OSHA Dart: 3.3)
 Hours of Exposure 305, 909

Year 2012 – Cases 5 (OSHA Recordable Rate: 3.47)
 LWD Cases 0
 LWD 0 (OSHA Dart 2.08)
 Hours of Exposure 287, 945

National Standard for Industry in our Classification (SIE – 3312)

 OSHA Rate 6.3
 LWD 6.3